

Senate Bill 427

By: Senators Chapman of the 3rd, Unterman of the 45th, Harp of the 29th, Staton of the 18th, Hudgens of the 47th and others

A BILL TO BE ENTITLED
AN ACT

To amend Part 1 of Article 7 of Chapter 3 of Title 12 of the Official Code of Georgia Annotated, relating to the Jekyll Island—State Park Authority, so as to require certain restrictions in leases or deeds for certain property on Jekyll Island; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 1 of Article 7 of Chapter 3 of Title 12 of the Official Code of Georgia Annotated, relating to the Jekyll Island—State Park Authority, is amended by revising Code Section 12-3-244, relating to restrictions on sales and leases of subdivided lots on Jekyll Island, as follows:

"12-3-244.

(a) The leasing and sale of subdivided lots shall be under restrictive limitations as to the use, style, and character of the structures allowable thereon and such other limitations as the authority may deem wise. Any and all such restrictions may be incorporated in the leases and deeds as covenants and warranties and may, at the discretion of the authority, provide for termination and forfeiture upon breach. In the event of a breach of any such covenants and warranties, the authority is empowered to take such action as shall further and preserve its own best interest and the best interest of the state.

(b) In addition to any restrictions that may be imposed under subsection (a) of this Code section, all leases or deeds entered into on or after the effective date of this subsection shall prohibit the construction of any new building within the following described area, except to replace a building that existed within such area on such date and that has since been removed: beginning at the point where the eastern right of way of Beach View Drive intersects with the northern boundary of that part of Jekyll Island protected by subparagraph (a)(2)(B) of Code Section 12-3-243, thence generally northward along the eastern right of way of Beach View Drive to its intersection with Clam Creek Road,

1 thence generally northward along the eastern right of way of Clam Creek Road to St.
2 Simons Sound, thence generally northeastward along the shore of St. Simons Sound to
3 the northernmost point of Jekyll Island, thence generally southward along the Atlantic
4 Ocean shore of Jekyll Island to the point where such shore intersects the northern
5 boundary of that part of Jekyll Island protected by subparagraph (a)(2)(B) of Code
6 Section 12-3-243, thence generally westward along the northern boundary of that part of
7 Jekyll Island protected by subparagraph (a)(2)(B) of Code Section 12-3-243 to the point
8 of beginning, with all of said rights of way being as such existed on the effective date of
9 this subsection. Such leases and deeds shall provide, further, that the ground level width
10 and length of any such replacement building within such area shall not exceed those
11 ground level dimensions of the building that was replaced. Such restrictions shall be
12 incorporated in the leases and deeds as covenants and warranties, and the same shall
13 provide for termination and forfeiture upon breach. In the event of a breach of such
14 covenant and warranty, the authority shall take such action to preserve its own best
15 interest and the best interest of the state."

16 **SECTION 2.**

17 This Act shall become effective upon its approval by the Governor or upon its becoming law
18 without such approval.

19 **SECTION 3.**

20 All laws and parts of laws in conflict with this Act are repealed.